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Governing Council
of the United Nations
Environment Programme

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Eighteenth session
Nairobi, 15-26 May 1995
Item 4 of the provisional agenda*

POLICY ISSUES

Periodicity and duration of Governing Council sessions

Report of the Executive Director

1. At the past two sessions of the Governing Council there has been a discussion on the periodicity and duration of Governing Council sessions in view of the changing context in which the Council is now working. The salient element within this new context has been the establishment of the Commission on Sustainable Development, which requires for its deliberations substantive policy contributions from the Governing Council of UNEP. However, the timing of the sessions of the Governing Council and of the Commission on Sustainable Development has not been such as to allow strategic communication between the two political forums. The Executive Director feels strongly that this limits the mandate of the Governing Council in its efforts to coordinate and provide policy guidance on environmental programmes within the United Nations system and to the world community as a whole.

2. The cycle of budget submissions to the General Assembly, through its Committee on Programme Coordination, is not coordinated with the timing of the biennial sessions of the Governing Council. This has created a situation in which the Executive Director of UNEP has to submit the budget of UNEP to United Nations Headquarters in New York prior to its approval by the Governing Council. This anomaly curtails the decision-making powers of the Governing Council and induces a duplication of process, as well as the subsequent amendment of UNEP's budget once it has been decided by the Governing Council.

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* UNEP/GC.18/1.

3. In view of the above and in order to enable the Council to carry out fully its mandate, as laid down in General Assembly resolution 2997 (XXVII) of 15 December 1972 and reinforced by the mandate given to the Council in Agenda 21 as adopted by the United Nations Conference on Environment and Development, the Executive Director proposes to revert to annual sessions of the Governing Council, limiting those sessions to three working days. The Executive Director further proposes to maintain the month of May for the Governing Council's sessions, in accordance with the well established practice since the Council's inception.

4. The annual sessions will allow the Governing Council to strengthen its functions as the authoritative political and substantive forum on environmental matters providing policy and coordination guidance within the United Nations system. They will also enable the Council to review emerging policy questions and take the necessary decisions to adjust the course of the Programme during the biennium if required. The Executive Director proposes that the Council at its annual sessions, be assisted in its deliberations for the adoption of the biennial programme every two years by a standing preparatory committee (in accordance with rule 62 of the rules of procedure of the Governing Council) that would meet during the seven working days immediately preceding the Council session.

5. In making these proposals the Executive Director has carefully studied their financial implications and has found that the proposals would entail no additional cost to Governments, since a special session to review the United Nations medium-term programme has been budgeted for in 1996 in addition to the regular session budgeted for in 1997.

6. The Executive Director also proposes that the Council recommend to the General Assembly that it invite the Commission on Sustainable Development to schedule its meetings so as to allow the Governing Council's deliberations to offer timely policy contributions to the Commission meetings, thereby providing a more effective mechanism for the implementation of Agenda 21.

Suggested action by the Governing Council

The Governing Council may wish to:

1. Take note of the report of the Executive Director;

2. Adopt the proposed changes to its rules of procedure contained in annex I to the present report;

3. Adopt the draft resolution contained in annex II to the present report, to be submitted to the General Assembly at its fiftieth session by the Governing Council.

Annex I

Proposed changes to the rules of procedure of the Governing Council

Rule 1

The Governing Council shall normally hold one regular session every year.

Rule 62

1. The Governing Council decides to establish a Preparatory Committee as its primary subsidiary organ to meet on a permanent basis every two years in odd years in sessions immediately preceding the Governing Council session itself. The Preparatory Committee shall have the same membership as the Governing Council itself. The Preparatory Committee shall elect its own Bureau bearing in mind the principle of equitable geographical representation as expressed in rule 18 of the rules of procedure. The Council shall establish the agenda for the Preparatory Committee bearing in mind the requirements of the Council itself.

(The other paragraphs of rule 62 should be renumbered accordingly).

Annex II

The General Assembly,

1. Takes note of the report of the Executive Director of the United Nations Environment Programme on the periodicity and duration of the sessions of the Governing Council, submitted to the Council at its eighteenth session;

2. Endorses decision 18/.. of the Governing Council on the periodicity and duration of its sessions and, in particular, the decision of the Council to meet for three days every year in a full Council session and establish a permanent subsidiary body called the Preparatory Committee whose meetings would precede the Council sessions in odd years to prepare for the Council sessions in those years.

3. Requests the Commission on Sustainable Development to establish the dates of its regular sessions taking into account the well established periodicity of the sessions of the Governing Council in such a way as to permit the Council to exercise fully its mandate and to make meaningful contributions to the Commission's deliberations.

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Report of the Executive Director

Addendum

1. At the request of the Committee of Permanent Representatives to UNEP, the Executive Director wishes to clarify her proposal for the establishment of a permanent subsidiary organ of the Governing Council called the "Preparatory Committee". The integrated proposed programme of work for 1996-1997 and the refocusing of UNEP, which has won widespread support in many forums, including, in particular, the Committee of Permanent Representatives, has necessitated a review of the way in which the Council could deal with matters pertaining to the programme and the budget. The Executive Director is of the opinion that, at sessions of the Governing Council, the integrated programme can best be reviewed in a single committee since trying to divide the elements between two distinct committees might prove very difficult, if not impossible. She therefore proposes to replace the present two sessional committees, on programme matters and administrative and budgetary matters, respectively, by one committee which would deal with all matters pertaining to programme and budget at the same time. Such an arrangement would enable the committee to take into account all aspects of the integrated programme and discuss fruitfully the implications both in terms of programme focus and priorities and in terms of their funding.

2. The Executive Director further proposes that this Preparatory Committee be established as provided for in paragraph 1 of rule 62 of the rules of procedure of the Governing Council and that it should elect its own Bureau based on the principle of equitable geographical representation as stipulated in rule 18 of the rules of procedure. This will permit member States to negotiate the substantive details of policy, programme and financial issues in the Preparatory Committee and to present their recommendations to the ministerial-level Council for political decision.

3. It is further proposed that the duration of Council sessions be reduced to three days thus encouraging attendance at the highest level of Government required to take the important decisions expected from the Council over the

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next several years, in accordance with the mandates given to it by the United Nations Conference on Environment and Development. By making this proposal the Executive Director hopes to facilitate attendance at the level required to reassert the important role of the Governing Council in follow-up to that Conference, as well as in relation to the Commission on Sustainable Development, and to enable the Council to carry out its mandate in full recognition of the importance attached to it by Governments.

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Corrigendum

Page 1, paragraph 2, line 2

For Committee on Programme Coordination read Committee for Programme and Coordination

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